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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/524,813

02/18/2005

Arne Christian Munch

OSL-014

1998

3897

7590

03/06/2008

SCHNECK & SCHNECK

P.O. BOX 2-E

SAN JOSE, CA 95109-0005

EXAMINER

AZAD, ABUL K

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

03/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/524,813

Applicant(s)

MUNCH ET AL.

Examiner

ABUL K. AZAD

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                             |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/13/2006, 2/18/2005</u> | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Portman et al. (US 6,944,447) herein after "Portman" in view of McClure (US 6,684,082).

As per claim 1, Portman teaches, "a system for accessing services, applications and content in a communication network from a user terminal, the services, applications and content being stored in or linked to one or more databases connected to said communication network", comprising:

"an Interpreter module means connected to receive a user-entered text phrase in the user's own natural language by means of a text and grammar recognition process, said module for outputting commands and inquiries" (col. 2, lines 32-59, "text-based message" and col. 4, line 48 to col. 5, line 50);

"a content logic means receiving said commands and inquiries for searching and finding services, applications and content among said services, applications and content in said one or more databases satisfying specifications defined by the commands and inquiries from the Interpreter module means" (col. 9, lines 6-65), and

Portman does not explicitly teach, "a priority logic means for sorting said found services, applications and content in a prioritized list according to predefined priority rules". However, McClure teaches, , "a priority logic means for sorting said found services, applications and content in a prioritized list according to predefined priority rules" (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use MaClure teaching of a priority logic in the invention of Portman because McClure teaches his invention provides controlling the operation of the mobile station preferably controls at least one of scanning behavior or a computing behavior of the mobile station (Abstract).

As per claim 2, Portman teaches, "further comprising a set of tables in the content logic means associating possible incoming commands and inquiries with search strings for search engines to operate in said one or more databases with links to services, applications and content in said one or more databases" (col. 9, lines 6-55).

As per claims 3 and 4, Portman does not explicitly teach, "a priority logic means". However, McClure teaches, , "a priority logic means" (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use MaClure teaching of a priority logic in the invention of Portman because McClure teaches his invention provides controlling the operation of the mobile station preferably controls at least one of scanning behavior or a computing behavior of the mobile station (Abstract).

As per claim 5, Portman teaches, "providing user terminal means having a browser means for user access to the system by means of an option in the user terminals in which the text phrase is entered, for transmitting the user-entered text phrase to the Interpreter module, for receiving said prioritized list and for displaying at least a part of this as selectable service, application and content, and for carrying out operations of a user selected service, application and content" (col. 11, line 49 to col. 12, line 49).

As per claim 6, Port man teaches, "wherein said browser is a SIM or WAP browser" (col. 11, lines 26-38).

As per claim 7, Portman teaches, "wherein the Interpreter module means, the Content Logic means and the Priority Logic means reside in a server associated with the communication network, and wherein the server is connected to a billing mechanism charging users for each use of the system" (col. 11, lines 26-38).

As per claim 8, Portman teaches, "wherein the communication network is a GSM, GSM/GPRS or a UMTS network and that the user terminals are cellular phones" (col. 4, lines 12-22).

As per claim 9, Portman teaches, "wherein a Speech Recognition Module is integrated in the Interpreter Module providing voice based user access and control to/of the system" (col. 4, lines 48-56)

As per claim 10, it is analyzed and thus rejected of the same reasons set forth in the rejection of claim 1.

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**Contact Information**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Patric Edouard**, can be reached at **(571) 272-7603**.

Any response to this action should be mailed to:

**Commissioner for Patents**

**P.O. Box 1450**

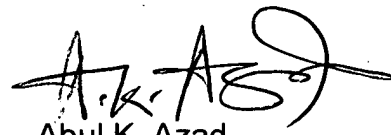
**Alexandria, VA 22313-1450**

Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 2, 2008

  
Abul K. Azad  
Primary Examiner  
Art Unit 2626